

## **Margot White: Submission in objection to SSD 5765**

Nothing that I have read or heard throughout this lengthy process has given me any confidence that the DPE should be recommending this risky, greenfield mining project be approved.

The DPE in their own assessment document recognize all the potentially harmful outcomes. Yet they are recommending approval and using conditions of operation to solve the problems.

The DPE appear to be using as their reason for approving this mine the NSW Government Critical Minerals and High-Tech Metals Strategy. The reasons for finding that positive outcomes outweigh the harm are more to do with broader strategic ideals of this current Government and the DPE than the facts presented throughout the entire process. The DPE's own expert witnesses have told them that some of the very real risks associated with this proposed mine have not been overcome.

While this project is in step with the NSW government's Critical Minerals and High-Tech Metals Strategy, it is not a safe or sensible project to undertake. The DPE have not found solutions or required the proponent to overcome the technical problems with this project. Rather the DPE in their haste to tick the box to align with this Strategy have pushed all the problems to post approval. This is incredibly lazy work by the DPE. The problems presented by this project have no examples anywhere in the world of having been overcome successfully.

Regardless of Strategies formed by this government, the DPE should be assessing the project on its merit. The proponent is not an experienced mining company, with proven ability in mining potentially harmful minerals. Which I know by law cannot be considered by the commission, which is a ridiculous situation. The site is located at the top of a watercourse and so close to a village that make it an unsuitable place to have a lead zinc silver mine. The potential harm is not worth the risk. We need to leave this resource where it is until the resource can be accessed safely.

The problems unresolved are:

- Placement storage of potential acid forming material (PAF)
- Acid mine Drainage (AMD)
- Harm to health of nearby residents
- Impacts on existing business's ability to continue operations as they are successfully and sustainably today
- Decimation of the village of Lue
- Increased traffic on already inadequate Lue Road
- Loss of habitat and land clearing
- Contamination of watercourses

The problems have been reviewed and submissions made on them throughout the DPE's SSD assessment process.

It appears to me that none of these problems have been solved. The DPE have stated that conditions of operation and management plans be created after approval will solve the problems.

The expert consultants for both sides have shown that the problems around PAF, AMD and watercourse contamination have not been solved. There are no examples where these problems have been successfully overcome at this scale anywhere. AMD is well recognised as a substantial and ongoing problem worldwide. Neither the DPE nor the proponent have put forward any proven, road tested solution to handling AMD. I draw attention to this article

<https://www.abc.net.au/news/2017-12-21/mcarthur-river-mine-toxic-waste-rock-ongoing-problem-new-report/9278922>

The harm to health from lead dust is well known, and has not been solved here. The DPE find that any metal intake will be '*almost negligible*' and their solution is '*monitoring metal concentrations*' and a '*trigger action response plan*'. This is completely unacceptable. Are we really going to be doing annual blood tests on nearby residents and if their levels are raised an '*action response plan is triggered*'? What will that do to help the affected population after they already have raised levels of lead in their blood? As a Grandmother, and a retired Registered Nurse, with grandchildren living near the proposed mine, the solution of monitoring blood lead levels is not satisfactory. Does the DPE seriously think it is ok to take blood from children on a regular basis to monitor the harm that their approval of this mine might create? The DPE have acknowledged but not required the proponent to address the stress this green fields mine inflicts on the local population. The harm on human health of stress released cortisol is well documented. There is absolutely no evidence anywhere in NSW that the DPE's efforts through Social Impact Management Plans have a beneficial impact. It is often the complete reverse, another stress point for the already stressed local population.

There are existing highly successful sustainable food producing businesses that will have their operations put at risk by the proximity of a lead, zinc, silver mine. This is also true for the greater Mudgee region and its tourism, wine and wedding destination businesses that are sustainable and profitable. The region does not need the 200 or so jobs that this mine will create. Bowden will need to employ most of their highest paid employees from elsewhere, further dislocating the community. Nowhere in NSW has a new mine created a better town or community then what was there before the mine started. No community in NSW has ever been enhanced or had better socio economic outcomes from a new mine.

The evidence from other small villages where greenfield mines have started is that the village and community end up destroyed. DPE have so much evidence of this and yet they address this problem with the window dressing of social impacts plans. The DPE should require the proponent to show proof of how they can relieve this destruction of local communities. The DPE confect the solution in their conditions of approval for the proponent to create management plans after approval. An example of the DPE's track record on this is Glencore Mangoola Continued Operations Project approval, where the proponent created a Community Enhancement Plan (CEP) to solve the identified and quantified concern of the community re devalued property prices, in their social impact assessment. The DPE required the proponent to put this in place post approval. The result is Mangoola pay the Muswellbrook Council, 25 kms from the local affected community, an amount of millions of dollars in their VPA, the local community get \$50,000. This is the DPE's approved accepted solution to the community's inability to sell their property for unaffected market prices. Complete confection.

Any increase in traffic on Lue Rd is another problem identified but not solved.

The DPE's solution to disturbing 488.5 hectares is to require the proponent to have some offsets, this is another confected solution used by the DPE for years in order to get to yes. The result of this solution is a net loss of habitat to NSW.

The DPE have not overcome the problem with water in this proposal. There was much evidence given in submissions and throughout the hearing. A precautionary approach should be taken here. The site location at the top of a watercourse and the incredibly harmful nature of the waste water,

the need for ample water for dust suppression are all unsolved forever problems. The proponent appears to have been coached by the DPE through their 3 amendments to their original EIS. With the changing climate modelling for 1 in 100 year events is not satisfactory. The use of 130 years of weather data is nowhere near sufficient. We have seen time and time again in recent years the devastating effects of unprecedented weather conditions. Yet the DPE keep using the same criteria and expect to convince everyone it will be safe to undertake take such projects as this proposed lead, zinc silver mine.

The DPE have recommended this project for approval as it is a fit with their Critical Minerals and High-Tech Metals strategy. While acknowledging that government needs strategies and frameworks to conduct the business of government it does not mean that the very real problems and the forever nature of the potential harm of this proposal can be ignored. It may fit with strategy, however the proponent nor the DPE have demonstrated it is a safe or sensible mine to have in this location.

My understanding is, that as Commissioner Duncan emphasized in his opening address on day 1 of the public hearing '*...certain matters, that by law, it is not permitted to take into account when making its determination*'

I question then how it is possible that the proponent in its opening and closing submissions refer to the possibility of future increases of life of mine and minerals recovered. Commissioner Sykes asking Mr McClure direct questions about future resource potential and another product strain. Any future operations should not form any part of this hearing or its assessment. Why did Mr McClure mention it? Surely in the hope of influencing the DPE and the IPC to consider that this will be a much bigger more profitable operation than they are asking for in their proposal. Once this information has been heard it cannot be unheard, the IPC's determination cannot help but be influenced by having knowledge of this potential. Given Commissioner Sykes asked direct questions about future potential it is very hard to believe it is not being taken into consideration. The only things to consider should be those presented in the proponents EIS and the DPE's assessment of the EIS.

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#### **4.3 Mandatory Matters for Consideration**

*40. Under section 4.40 of the EP&A Act, the Commission is required to evaluate the merits of the project against the relevant matters for consideration set out in section 4.15 of the EP&A Act prior to making its determination. This includes:*

- the likely impacts of the project, including the environmental impacts on both the natural and built environments, and social and economic impacts in the locality;*
- the suitability of the site for the project; and*
- the public interest, which includes considering the relevant objects of the EP&A Act and Ecologically Sustainable Development (ESD)*

These three matters alone have not been satisfactorily addressed by the DPE or Bowdens.

This site is not suitable for this project physically or socially. The project has the potential for environmental disaster forever. There are already existing profitable sustainable business operating and growing in the region. Mention has been made throughout the hearing, that while Mudgee township is a highly successful tourism, food and wedding destination, Kandos and Rylstone need this mine. The hardship in these towns are problems created, especially in the case of Kandos, by having only one major industry in town. So why would Bowdens mine be the answer? It is just

kicking the can down the road. These two towns are starting to emerge from the economic hardship of losing their only industry and starting to find other ways to thrive. The success of Mudgee as a clean green agricultural producing area, tourism, wine, food and wedding destination, is starting to overflow and benefit Kandos and Rylstone. As in the Southern Highlands of NSW the success of Bowral initially has grown to include many other nearby towns and villages. The approval of this project, physically between Mudgee and Rylstone and Kandos, will stop this natural progression of growth in sustainable tourism, art and lifestyle industries. As stated prior no town or village has ever become a more sustainable, nicer place to live, with better socio economic outcomes by having a mine near it. The same mistake should not be made twice. Possibly Bowdens may fill the gap for a moment in time and then these townships must go through the transition away from dependency on one business all over again. We need to start planning things differently and preserving environments for future generations.

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*28. MEG has also advised that the deposit is unlike most deposits that have been mined to date in NSW, and that extensive sequences of analogous and prospective rocks occur at surface or beneath shallow cover along the margin of the Sydney-Bowen Basins which host numerous smaller silver deposits. Consequently, mining of the Bowdens deposit would not only be economically significant in its own right but could lead to further development of such deposits in NSW in the future.*

The DPE in their assessment stating the above as another reason for approval. This is not the right location, community or the right resource to be considering an experimental mine. The potential damage in perpetuity is too great. This is also outside the scope of the EIS and should form no part of the DPE's reasons for approval.

The IPC need to be truly independent and decline this proposal as it has too many demonstrated unsolved technical problems at this site.

It jeopardises the already profitable growing businesses in the region.

It is too detrimental to the health of the local community.

The risk to the waterways is too great.

Other companies have walked away from this resource for that reason. We are only here now because this government at this moment in time have created a strategy and this project aligns. No robust examination has been undertaken by the DPE, just rushing to yes to fit the strategy. The forever potentially catastrophic negative impacts of this project cannot be overlooked in favour of the strategic desire of this government now.

This is not the right type of mine in this green field location.